

As discussed in the telephone conversation with the Examiner, Applicant's attorney asserts that the common special technical feature of Group I, cited in claims 10-15 and 26-46, may include the tobacco chamber and compressive pusher cited in Group II. As stated in claim 12, "the tobacco rod compression mechanism comprises a *tobacco chamber* which can be opened up and closed by at least one side...." In addition to the tobacco rod compression mechanism, the claims of Group I and Group II share various components for example, a funnel and funnel shaped tobacco infeed section and, a plucking roller and plucking mechanism. Therefore, the claims of Group I and II share structural elements and are not distinct as stated by the Examiner. Applicant's attorney respectfully requests the Examiner withdraw this restriction requirement.

Applicant urges that the issue of restriction is moot. However, if the Examiner believes there are unresolved issues in this case, Applicant's attorney would appreciate a call at (502) 584-1135 to discuss such remaining issues.

Respectfully submitted,

OFFICIAL

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- 2 -

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